

Elizabeth Eilender, Esq.  
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*Attorney for the Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff ,

-against-

Case No.  
2:10-CV-05604-  
SDW-MCA

**DECLARATION**

TELLER FAMILY IRREVOCABLE TRUST VI,  
by and through its trustee, GERSON SONTAG a/k/a  
GERSHON SONTAG, and TELLER FAMILY  
IRREVOCABLE TRUST VII, by and through its trustee,  
BEZALEL BERNSTEIN a/k/a BTALEL BERNSTEIN,

Defendants.

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X  
ELIZABETH EILENDER, hereby declares under penalty of perjury pursuant to 28 U.S.C. 1746 that the following is true and accurate.

1. I am the attorney for the defendants and am making this declaration in opposition to plaintiff's motion to strike declarations filed in support of defendants' motion to dismiss.

2. Annexed hereto are the following exhibits:

Exhibit A Plaintiff's counsel's letter dated February 11, 2011 acknowledging that original applications were destroyed

Exhibit B Sontag check for \$106,138 made payable to AIG US Life dated September 20, 2005

- Exhibit C      Opinion and Order of Judge Kenneth M. Hoyt dated January 30, 2009, in *American General Life Insurance Company v. Kirsh*, United States District Court, Southern District of Texas, Houston Division, Civil Action No. H-07-3696
- Exhibit D      American General's memorandum in response to defendant's motion for reconsideration in *Kirsh* matter signed by Jessica Wilson, dated March 9, 2009
- Exhibit E      Letter from NYS Insurance Department dated February 10, 2011
- Exhibit F      Affidavit of David Weber dated January 25, 2011 re Trust VI
- Exhibit G      Affidavit of David Weber dated January 25, 2011 re Trust VII
- Exhibit H      Report of NY Inspection Services dated August 9, 2005
- Exhibit I      Document reflecting that Yoel Epstein is the writing agent and Simon Weinstock is the agent to receive commission from AIG/ American General in the Teller policy
- Exhibit J-1      Letter to Magistrate Patty Shwartz dated October 25, 2010 in case entitled *American General Life Insurance Company v. Sussex 130 LLP*, 09-5097 (FSH/PS)
- Exhibit J-2      Order of United States Magistrate Judge Patty Shwartz dated October 27, 2010 in *American General Life Insurance Company v. Sussex 130 LLP*, 09-5097 (FSH/PS)
- Exhibit K      Letter from David Jaroslawicz to New York State Insurance Department dated February 23, 2011, on letterhead
- Exhibit L      American General letter dated September 16, 2009 indicating that Mr. Gutwein is a service representative for American General

Exhibit M American General invoice dated December 31, 2008,  
regarding a similar trust which lists Mr. Gutwein as its  
agent

Dated: New York, New York  
April 4, 2011



Elizabeth Eilender